

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference IGT1P092.WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/021350	International filing date (<i>day/month/year</i>) 15 June 2005 (15.06.2005)	Priority date (<i>day/month/year</i>) 17 June 2004 (17.06.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant IGT		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	<p>This REPORT consists of a total of 8 sheets, including this cover sheet.</p> <p>In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.</p>																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 80%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Date of issuance of this report 20 December 2006 (20.12.2006)
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PATENT COOPERATION TREATY

REC'D 18 SEP 2005

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From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY
(PCT Rule 43bis.1)Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)Applicant's or agent's file reference
see form PCT/ISA/220**FOR FURTHER ACTION**
See paragraph 2 belowInternational application No.
PCT/US2005/021350International filing date (day/month/year)
15.06.2005Priority date (day/month/year)
17.06.2004International Patent Classification (IPC) or both national classification and IPC
G07F17/32Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1 (a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/021350

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material:
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing:
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/021350

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	25-53
	No: Claims	1-24
Inventive step (IS)	Yes: Claims	
	No: Claims	1-53
Industrial applicability (IA)	Yes: Claims	1-53
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1 Reference is made to the following documents:

D1: US-A-2002/0193099

D3: US-A-2004/0038723

2 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 and 12 is not new in the sense of Article 33(2) PCT.

2.1 Independent claim 1

The document D1 discloses (the references in parentheses applying to this document):

A game device (cf. fig.1(20); [0001]) for selective display of a pre-purchased game of chance (cf. abstract), the game device comprising;

a communication interface (cf. fig.2(44); [0023]; [0035]) adapted to communicate with a central gaming system (cf. fig.3(70); [0042]) to selectively receive gaming data controlling the play and outcome of the pre-purchased game of chance, generated at a first time (cf. [0036]);

a display screen (cf. fig.1(34); [0021]);

one or more input mechanisms (cf. fig.1(46); [0024-0025]) and

a game device microprocessor device (cf. fig.2(52); [0031-0033]) configured to: commence play, selectively activated by operation of the one or more input mechanisms (cf. [0055-0057]), of the pre-purchased game of chance using said

gaming data at a selected second time after said first time (cf. [0036]; [0061]); and selectively display on the display screen the generated outcome of the game of chance (cf. [0060]; [0063]).

As a consequence the subject-matter of independent claim 1 does not satisfy the criterion set forth in Article 33(2) PCT regarding novelty.

2.2 Independent claim 12

The above argumentation (cf. point 2.1) also applies, mutatis mutandis, to claim 12 and as a consequence the subject-matter of independent claim 12 does not satisfy the criterion set forth in Article 33(2) PCT regarding novelty.

- 3 The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 25, 38 and 44 does not involve an inventive step in the sense of Article 33(3) PCT.

3.1 Independent claim 25

The document D1 is regarded as being the closest prior art to the subject-matter of claim 25, and discloses (the references in parentheses applying to this document):

A method for executing pre-purchased gaming play for a portable gaming device comprising (cf. abstract):

selectively generating pre-viewed gaming data, on a central gaming system (cf. fig.3(70); [0042]), representing the play and outcome of one or more pre-purchased games of chance (cf. [0059]), the last game of which is generated at a first time;

selectively communicating said pre-viewed gaming data from the central gaming system to the gaming device (cf. [0061-0063]).

The subject-matter of claim 25 therefore differs from this known method in that:

reconciling post-viewed gaming data from the gaming device with the central gaming system for authentication of said post-viewed gaming data

The problem to be solved by the present invention may therefore be regarded as

(p1) how to prevent modification of the gaming data

The solution proposed in claim 25 of the present application cannot be considered as involving an inventive step (Article 33(3) PCT) for the following reasons.

It is well known in the field of gambling to validate a winning (or a not winning) outcome of a game, see for example paragraph [0008] of document D3. To implement this well known feature in the gaming system disclosed in D1 in order to solve the problem (p1) would not involve any inventive skill. Therefore the subject-matter of independent claim 25 does not satisfy the criterion set forth in Article 33(3) PCT regarding inventive step.

3.2 Independent claims 38 and 44

The same reasoning (cf. point 3.1) applies, mutatis mutandis, to the subject-matter of the corresponding independent claims 38 and 44, which therefore are also considered not inventive.

- 4 Dependent claims 2-11, 13-24, 26-37, 39-43 and 45-53 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty or inventive step, see the documents and the corresponding passages cited in the search report.

Re Item VIII

- 5 Although apparatus claims 1 and 12, and method claims 25, 38 and 44 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and in respect of the terminology used

for the features of that subject-matter. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

Independent claims 1, 12, 25, 38 and 44 are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).

Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.